

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

UNITED STATES OF AMERICA,

NO. CR06-444-RSL

Plaintiff,

v.

**SUMMARY REPORT OF  
U.S. MAGISTRATE JUDGE AS  
TO ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE**

JAMES LOWELL PHILLIPS,

Defendant.

An evidentiary hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on September 9, 2010. The United States was represented by Assistant United States Attorney James Lord, and the defendant by Michele Shaw.

The defendant had been charged and convicted of Burglary of a Pharmacy, in violation of 18 U.S.C. § 2118(b). On or about June 27, 2007, defendant was sentenced by the Honorable Robert S. Lasnik, to a term of 27 months in custody, to be followed by 3 years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in a substance abuse and mental health programs, financial disclosure, \$20,466 restitution, no firearms, search, DNA

1 testing, no new credit, single checking account, surrender all business documents, disclose all  
2 assets and liabilities, and 120 days RRC.

3 In a Petition for Warrant or Summons, dated August 27, 2010, U.S. Probation Officer  
4 Steven R. Gregoryk asserted the following violations by defendant of the conditions of his  
5 supervised release:

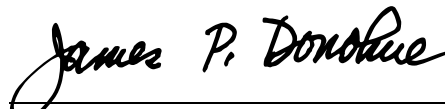
- 6 (1) Committing the crime of malicious mischief third degree, on August 27,  
7 2010, in violation of the general condition of supervision which states that  
8 the defendant shall not commit another federal, state, or local crime.

9 On September 3, 2010, defendant made his initial appearance. The defendant was  
10 advised of the allegation and advised of his rights. On September 9, 2010, this matter came  
11 before the Court for an evidentiary hearing. Defendant admitted to violation 1.

12 I therefore recommend that the Court find the defendant to have violated the terms and  
13 conditions of his supervised release as to violation 1, and that the Court conduct a hearing  
14 limited to disposition. A disposition hearing on this violation has been set before the  
15 Honorable Robert S. Lasnik on September 24, 2010 at 1:30 p.m.

16 Pending a final determination by the Court, the defendant has been detained.

17 DATED this 9th day of September, 2010.

18 

19 JAMES P. DONOHUE  
20 United States Magistrate Judge

21  
22  
23 cc: District Judge: Honorable Robert S. Lasnik  
24 AUSA: James Lord  
25 Defendant's attorney: Michele Shaw  
26 Probation officer: Steven R. Gregoryk